

**SOUTH DAKOTA DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION PROGRAMS**

**Tea School District  
Continuous Improvement Monitoring Process Report 2005**

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**Dates of On Site Visit:** November 16, 17 & 18, 2005

**Date of Report:** December 23, 2005

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program, and Least Restrictive Environment. Each principle is rated based on the following scale:

<b>Promising Practice</b>	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
<b>Meets Requirements</b>	The district/agency consistently meets this requirement.
<b>Needs Improvement</b>	The district/agency has met this requirement but has identified areas of weakness that left not addressed may result in non-compliance.
<b>Out of Compliance</b>	The district/agency consistently does not meet this requirement.
<b>Not applicable</b>	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

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<b>Principle 1 – General Supervision</b>
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

## **Steering Committee Self-Assessment Summary**

### **Data sources used:**

Parent Surveys	Placement alternatives
Comprehensive Plan	Table A, B, D, E, G, H
Screening – yearly child find results	Budget
Publications of Child Find Notices	SIMS
Child Find Data	Workshops & In-services
Cornbelt Cooperative Forms	Employee Handbook
File reviews	Continuing Education Policies
IEPs	
Board Policies	
Teacher Assistance Team: referral vs. non-referral information	

### **Meets Requirements**

The steering committee concluded the district's comprehensive plan is followed for collecting, maintaining and reporting data for all child find activities. The committee determined the district utilizes several modes of communication and activities for child find activities. In addition, the district has an interagency agreement with the local Head Start Program and the Birth-to-Three Interagency. Data from Table A, the committee indicated, showed the percentage of pre-kindergarten through twelfth grade students with disabilities in the district is comparable to the state average.

The committee reported the district's comprehensive plan, page 12, addresses procedures for children eligible for special education that are voluntarily enrolled in a private school by their parents. No private schools are located in the district.

Students placed in out of district facilities are afforded the same rights as children with disabilities who attend public schools. When a student is placed out of district, the steering committee concluded the district consults with representatives in the out-of district facility regarding what services will be provided, as well as how and where the services will be provided. When the facility conducts a meeting to review or revise a student's IEP, the committee concluded the parent and a district representative attended the student's IEP meeting to assist in the development of the IEP.

The steering committee concluded a pre-referral system is in place at the district. Teacher Assistance Teams (i.e., TAT) meet when a referral is made and use pre-referral forms and checklists to aid students at risk. Through file reviews, it was determined a written referral was included in each student's file.

The district uses the relevant school data, the committee concluded, to analyze and review the school's progress toward the state performance goals and indicators.

Through file reviews, the steering committee reported suspension and expulsion procedures are followed in accordance with the district's comprehensive plan.

The steering committee found the district's comprehensive plan, pages 88 and 89, has established procedures for the employment of special education personnel who have special education endorsements as required in state rules. Through a review of Table B, the committee determined the district employs and contracts with personnel who are fully licensed or certified to work with children who have disabilities. Currently, all district paraprofessionals are considered highly qualified according to No Child Left Behind. The steering committee indicated in-service programs were provided in the district during the school year by the Cornbelt Educational Cooperative for staff development.

### **Needs Improvement**

The steering committee was unable to find referral documentation in four of 30 student files reviewed; thus, they determined the district needs improvement to meet this requirement.

## **Validation Results**

### **Promising Practice**

The monitoring team identified as a promising practice the Tea School District's development and implementation of a "Lack of Effort" policy and a "Student Responsibility Period" (SRP) to ensure students complete their coursework and maintain passing grades. Students who are receiving below average grades or are missing work in a given subject area are required to participate in a help session (SRP) to resolve the problem. Help sessions for all subject areas are scheduled one time per week at the high school level from 2:45 to 3:30 pm. Students who meet the criteria are required to attend. The district's "Lack of Effort" or "Zero Tolerance" policy takes effect following mid-term grades or the end of each quarter. A student's parents, the district principal and counselor meet to develop goals for students who have attended SRP but who continue to fail and continue to have incomplete work due to lack of effort. The student receives a percentage of credit for putting forth effort to complete outstanding class work. Alternate program options are discussed should this be unsuccessful. Students who received failing grades

during the first quarter of school compared to the first quarter of last year decreased from 21% to 13%.

### **Meets Requirements**

Through interviews, state data tables and file reviews, the monitoring team validated the steering committee's conclusion that the district meets the general supervision requirements for analyzing and reporting progress toward the state performance goals and indicators, long-term suspension and expulsion and employment of fully licensed/certified staff to work with children with disabilities.

### **Needs Improvement**

The team did not validate the steering committee's decision that referral documentation was not present in student files. The monitoring team found all 44 files reviewed, except one, had referral documentation. The referral form was located while the team was on-site.

### **Out of Compliance**

#### **ARSD 24:05:22:03. Certified child.**

A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. This definition applies to all eligible children ages 3 to 21, inclusive, and to only those children under the age of three who are in need of prolonged assistance.

### **Issues requiring immediate attention**

The monitoring team concluded three students enrolled in the district did not have evaluation data that supported eligibility in compliance with child find and child count requirements. Information was provided to the district's Special Education Director pertaining to the students for immediate action.

## **Principle 2 – Free Appropriate Public Education**

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3<sup>rd</sup> birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

## **Steering Committee Self-Assessment Summary**

### **Data sources used:**

State Tables B, E, F, K, L, M, N	Age at referral
Number of students screened	Personnel development education
Preschool age	Number of referrals not resulting in evaluations
School age	Personnel training
Budget information	Comprehensive plan
Surveys	

### **Meets Requirements**

The steering committee indicated the FAPE definition for children birth through the age of 21 is in the district's comprehensive plan, page 106. They concluded the district meets the state and federal regulations for the provision of FAPE. In addition, the school ensures FAPE is available to children eligible for special education services who reside in group homes or institutions within the district. The committee reported FAPE is also addressed in the Parental Rights brochure distributed to parents of children who are being referred or have IEPs.

Through review of the district's comprehensive plan and student file reviews, the steering committee concluded the district ensures suspension and expulsion procedures are implemented in accordance with FAPE requirements.

The committee concluded all children in the district who receive extended school year services meet FAPE requirements.

### **Validation Results**

#### **Meets Requirements**

The review team validated through interviews and file reviews the steering committee's conclusion that the district meets the requirements for the provision of a free appropriate public education to children with disabilities.

## **Principle 3 – Appropriate Evaluation**

A team of knowledgeable staff, which also includes parental input, conducts a comprehensive evaluation. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

## **Steering Committee Self-Assessment Summary**

### **Data Sources Used:**

IEPs	Comprehensive Plan
Surveys	Permission to evaluate forms
Parental Report Forms	File reviews
State Tables G, H, I, J	TAT information
Initial referral	Parent and teacher report forms
SIMS	Referrals
Report Cards	Progress Reports
Psych Reports	

### **Meets Requirements:**

Based on file reviews, the steering committee concluded parents, teachers, and related service providers have the opportunity to provide input into the evaluation process.

The steering committee concluded the district follows procedures described in the comprehensive plan, page 18 J, to ensure compliance with parental prior notice for evaluation or revision of a student IEP. In all student files reviewed, the committee noted parents were provided with written notice at least five days prior to proposing, refusing to initiate, or changing the child's identification or evaluation.

The district follows the procedures described in the comprehensive plan to ensure compliance for re-evaluation. The district makes reasonable attempts to obtain parent consent.

File reviews conducted by the steering committee indicated 75% of the children were assessed in the areas written on the prior notice. All areas of suspected disabilities during the initial evaluation were evaluated prior to a child's placement in the district's special education program. File review data reflected 75% of evaluations were completed within the 25-school day timelines after receipt by the district of signed parent consent to evaluate, and 76% of the IEP meetings were held within 30 days of receipt of the evaluation results. Reevaluations were conducted at least every 3 years in 75% of the files reviewed by the committee.

In all files reviewed by the steering committee, they concluded the district follows the procedures in the comprehensive plan described, page 17 G, to ensure the district complies with the use of a variety of evaluations to determine student eligibility. In addition, they concluded functional evaluations were completed in all areas of the suspected disability during the 25-school day timeline. The student's functional assessment skills were summarized in a written report in 75% of files reviewed.

The steering committee reported there were no students identified with limited English proficiency (i.e., LEP) in the district. They noted the district's comprehensive plan cites policies and procedures are in place to ensure LEP students would be evaluated in their native language.

The steering committee indicated the district has no students who have been placed on interim IEPs.

In addition, no independent education evaluations have been requested.

### **Needs Improvement**

The steering committee reached consensus the district needs to improve its consistency with meeting evaluation and IEP timelines. They also determined the district needs to improve the completion of functional assessments at the secondary level. In addition, the district needs to improve gathering parental input during the evaluation process.

## **Validation Results**

### **Meets Requirements**

The monitoring team validated through interviews and file reviews the steering committee's conclusions that the district provides parents with written notice five days prior to proposing or refusing to initiate or change the child's identification or evaluation. Documentation was found in student files validating parent and general education teacher input was obtained for initial referrals.

### **Needs Improvement**

The monitoring team was not able to validate the steering committee's decision that the district needs to improve meeting evaluation and IEP timelines. No files reviewed by team indicated this requirement was not met.

Gathering parental input for student evaluations using a consistent procedure was validated by the monitoring team as needing improvement. The team found parent input for evaluation and reevaluation was sought through a variety of activities, such as telephone conversations, Parent Report Forms, and at parent conferences; however, documentation of the parent contact was inconsistent.

Functional assessments were determined by the monitor's to be out of compliance, rather than an area needing improvement as cited by the steering committee.

### **Out of Compliance**

#### **ARSD 24:05:25:03 Preplacement evaluation**

Before any action is taken concerning the initial placement of a child with disabilities in a special education program, a full and individual evaluation of the child's educational needs must be conducted. Evaluations must be completed within 25 school days after receipt by the district of signed parent consent unless other timelines are agreed to by school administration and the parent.

During file reviews, the monitoring team found several prior notices for the initial evaluation of preschool age children stated the reason for the proposed action was due to parental concerns of their child's development. The team determined preschool age students were consistently evaluated using the cognitive section the Battelle cognitive and speech/language tests. When eligible, the student's received Speech/Language services only. Consideration was not given to the preschool age students social and emotional, adaptive functioning and/or physical development. In interviews, the monitor's were informed this procedure was used to make it easier for children to transition to Kindergarten without the need for further evaluation. Children age three through five assessed in those additional areas may qualify as having a Developmental Delay; however, on or before the age of six, the student must be reevaluated.

#### **ARSD 24:05:04 Evaluation procedures**

A variety of assessment tools and strategies are used to gather relevant functional and developmental information about a child, including information provided by the parents that may assist in determining whether the child is a child with a disability.

The monitoring team was not able to validate the committee's decision that the district needs to improve functional assessment evaluations, with the exception of speech/language evaluations. The team concluded all speech/language assessments included a functional assessment component, and the functional skills were documented in written reports. With that exception, the team reviewed nine student files that lacked functional assessment information. In interviews with special education instructors, they were unsure which assessment tools and strategies



provided functional assessment information. They were also not aware a written report of the functional assessment data is a requirement.

The child is assessed in all areas related to the suspected disability, including, as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

Through file reviews and interviews, the monitoring team did not validate that eight children were assessed in all areas of suspected disability as follows; (1) autism evaluations were not found for two children diagnosed with the disorder, (2) no behavioral evaluations were completed for three students although behavioral concerns were addressed in the students' present levels of performance, (3) two student prior notices for evaluation indicated fine motor assessments would be completed, which were not determined to be given, and, (4) no adaptive behavior assessment data was found in an evaluation for a student suspected of having a mental disability.

## **Principle 4 – Procedural Safeguards**

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality, and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

### **Steering Committee Self-Assessment Summary**

#### **Data sources used:**

State Tables L, M	File reviews
Surveys	Comprehensive plan
Parental rights document	Consent and prior notice forms
Public awareness information	FERPA disclosure

#### **Meets Requirements**

Based on file reviews, the steering committee determined parental rights information was provided to parents with every prior notice for consent and evaluation and at every IEP team meeting.

The steering committee concluded parent consent was obtained prior to the initial provision of special education and related services to a student with a disability.

The steering committee reported the procedures in the district's comprehensive plan meet the requirements regarding disclosure of student information. In addition, the committee found the district maintains student records for at least three years.

Graduation, the committee concluded, was addressed at least one year prior to the graduation date.

The district has policies and procedures for selection, training, and administrative considerations regarding the appointment of a surrogate parent for a child with disabilities.

The steering committee indicated the district's comprehensive plan, page 55, states FERPA policies and procedures. They concluded all parents in the district have access rights to inspect and review any record relating to educational matters regarding their child. The school district adheres to the FERPA regulation requirements of providing copies to parents of their child's records for inspection and review. In addition, the steering committee found all student files reviewed had a sign-in sheet for requests and access to education records if disclosed to unauthorized persons and locations where other student information is located.

The steering committee concluded the district's comprehensive plan, page 59, and the parental rights form address policies and procedures that are in place regarding complaints and due process hearings.

### **Needs Improvement**

Upon review of student files, the steering committee determined the district needs improvement in addressing graduation requirements one year prior to graduation.

### **Validation Results**

#### **Meets Requirements**

Through interviews and file reviews, the monitoring team validated the areas indicated by the steering committee as meeting the requirements for procedural safeguards.

### **Needs Improvement**

The monitoring team did not validate the steering committee's conclusion that the district needs to improve addressing graduation requirements one year prior to graduation. All files reviewed by the team pertaining to this area met the requirement.

## **Principle 5 – Individualized Education Program**

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed, and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

### **Steering Committee Self-Assessment Summary**

#### **Data sources used:**

Comprehensive plan	File reviews
Student progress data	Personnel training
Budget information	State tables K, N
Surveys	Report form
Complaints	IEPs
SPED handbook	

### **Meets Requirements**

The steering committee concluded the district's prior notice contains all required content. In all files reviewed, parents were invited to the IEP meeting. IEPs indicated all required team members attended. When the purpose of the meeting was to discuss transition for students 16 years of age, agency representatives were invited who might be responsible for providing or paying for transition services. All IEPs documented the beginning date of service to be as soon as possible after the student's IEP was developed.

Through file reviews, the committee determined 75% of student IEPs were reviewed annually. In addition, they found 75% of IEP meetings were held within 30 calendar days of receipt of the evaluation results. The committee concluded meetings were held for all children before their third birthday for successful transition from Part C to Part B, if needed.

The steering committee reported 82% of the student IEPs reviewed had functional skill based information in the present levels of performance. Seventy-five percent of the transition age student's present levels of performance addressed transition strengths and areas of need.

It was concluded by the committee that all IEPs reviewed had measurable/observable annual goals linked to the present levels of performance.

The committee agreed all the IEPs reviewed documented how and when progress would be reported to parents, addressed the student's need for extended school year services, and special factors were considered during the development of each student IEP. In addition, they indicated modifications and accommodations were addressed in the IEPs. State and district-wide assessments were completed with documentation pertaining to modifications for the student, if needed.

Consensus was reached by the steering committee that all IEPs had documentation of amount of services provided, including the frequency, location, and duration of those services and modifications. All files reviewed also contained a written justification as to why instruction could not be conducted in the general education setting.

The steering committee concluded the district has procedures in place in the comprehensive plan on page 39 pertaining to parents obtaining guardianship for a student, if needed, one year prior to his or her 18<sup>th</sup> birthday.

The steering committee indicated parents were notified one year prior to graduation of the districts intent to graduate a student, and the instructional program to meet the district's graduation requirements was specified within the student's IEP.

In the area of transition, the steering committee indicated the district does not use any formal transition assessments. They concluded employment and living outcomes were addressed within the IEP by age 14 according to requirements in all files reviewed. In addition, they indicated a course of study was identified for students by the age of 14, which reflected individualized educational programming and planning to help the student make a successful transition to post-school life.

In all of the IEPs reviewed by the committee for students age 16 or older, they determined the transition plans represented a coordinated set of activities that reflected coordination between the school, student, family, and other agencies. Post-secondary programs were identified as being based on the individual student's needs, preferences, and interests.

### **Needs Improvement**

The school district, the committee concluded, needs to improve meeting annual timelines for IEP meetings and holding IEP meetings within the 30-day timeline.

The steering committee found approximately 25% of parents did not receive progress reports at the time designated for the general education students, but they indicated the district now has procedure in place to assure that progress reports are sent in a timely manner.

In the area of transition, the steering committee determined the district needs improvement in consistently addressing transition in the present levels of performance and using formal transition assessments to assist in obtaining required information for the IEP.

The committee found only 75% of IEP meetings were held on or before the previous IEP; therefore, this was identified as an area needing improvement in the district.

### **Validation Results**

#### **Needs Improvement**

In the files reviewed by the monitoring team, all annual and 30-day IEP meetings met timeline requirements; therefore, these areas were not validated as needing improvement.

The monitoring team did not validate the steering committee's conclusion that the district needs improvement in using formal transition assessments. The team found that the district has purchased and is using a formal transition assessment. In addition, the Special Education teacher, who gives transition assessments, took the initiative to ask the team for suggestions regarding publishers of other formal transition assessments.

The team did validate through interviews and file reviews that the district does need to adhere to the district's new procedure to assure progress reports for students with disabilities are sent at the same interval that report cards are sent to parents of students who are not disabled.

The monitoring team found transition assessment information was not consistently addressed in the present levels of performance; therefore, the team determined this is a requirement out of compliance.

**Meets Requirements**

The monitoring team validated the steering committee's conclusions for meeting the requirements pertaining to individualized education program, with the exception of the out of compliance requirements addressed below.

**Out of Compliance****ARSD 24:05:27:01:01 IEP team**

Each school district shall ensure that the IEP team for each student with disabilities includes the following members: parents of the student; a regular education teacher; a special education teacher of the student; and, a representative of the district who is qualified to provide or supervise the provision of specially designed instruction to meet the needs of students with disabilities, is knowledgeable about the general curriculum and is knowledgeable about the availability of resources of the school district.

The monitoring team concluded required members did not attend all student IEP meetings. Through file reviews, the team found a representative for the district was not in attendance at four IEP meetings, and a regular education teacher did not attend an IEP meeting.

**ARSD 24:05:27:01:03 Content of Individualized Education Plan**

Present levels of performance:

A student's IEP must contain a statement of the student's present levels of performance. The present level of performance should be a reflection of the functional assessment information gathered during the comprehensive evaluation. In addition, how the child's disability affects his/her progress in the general curriculum must be addressed.

In 23 of 44 student files reviewed by the monitoring team, the present levels of performance did not contain skill based functional assessment information in the present levels of performance or how the student's disability affected his/her involvement and progress in the general curriculum.

Annual goal and short-term objectives:

Annual goals must be measurable and reasonable for the student to accomplish within in one-year timeframe.

The monitoring team concluded 11 student files did not have measurable annual goals. Annual goals consistently included the words “improve” and “increase”, which are not measurable. An example is, “I will improve my study skills through the following objectives with 80% accuracy.” In addition, some annual goals were written from content standards; for example, “... with verbal assistance, in a structured activity, will preview text structure and text features to determine content and apply comprehension strategies to construct meaning from literary and content area text on three of five assignments.”

The annual goal or short-term objectives must also address the condition, performance, and criteria.

The condition (i.e., when, where, how) was not documented consistently in the files reviewed by the team; for example, short objectives for an annual goal in a student IEP had five short-term objectives with only one stating the condition.

**ARSD 24:05:27:01.02 Development, review, and revision of individualized education program**

In developing, reviewing, and revising each student’s individualized education program, the team shall consider, in the case of a student whose behavior impedes his or her learning or that of others, strategies, including behavioral interventions, strategies, and supports to address that behavior.

In the review of six student files, the monitoring team noted that the students’ evaluations included behavioral assessment data and their present levels of performance addressed behavioral concerns affecting the students’ educational performance. When the IEPs were developed for these students, the team checked “No” for the question of whether the child’s behavior impedes learning, and there was no documentation of positive behavioral interventions and/or supports to address the student behaviors.

**ARSD 24:05:27:01.03. Content of individualized education program**

**Configuration of service:**

A statement of the special education and related services and supplementary aids and services to be provided to the student is to be documented in the IEP. The public agency must ensure that all services set forth in the child's IEP are provided, consistent with the child's need as identified in the IEP.

Through a review of student files, the monitoring team found the specific special education services to be provided were not included in 28 of the 44 files reviewed. The IEPs stated "Special education services." The statement did not identify the specific service (i.e., reading, math, writing) needed by the child.

#### **ARSD 24:05:27:13.02 Transition services**

Transition services are a set of coordinated activities for the student designed within an outcome-oriented process, which promotes movement from school to postschool activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based on the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other postschool adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

The monitoring team reviewed six transition age student files. Two student IEPs did not have the transition pages, and the pages were not found during the on-site review. The team also noted the course of study on three of the transition IEPs was incomplete.

### **Principle 6 – Least Restrictive Environment**

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

#### **Steering Committee Self-Assessment Summary**

##### **Data sources used:**

State Tables E, G, I, J, F, N

File reviews

Surveys



**Meets Requirements**

The steering committee reached consensus all of the IEPs reviewed indicated the IEP team determined appropriate placement after all information was considered pertaining to the student's skill strengths and needs. The committee concluded all children with disabilities receive services in the least restrictive environment with supports they need for successful participation. In addition, potential harmful effects were addressed on the IEPs reviewed by the committee.

The committee noted the district's comprehensive plan cites the LRE requirement for preschool children on page 46.10. It was determined all preschool children receive services in the most appropriate LRE.

**Validation Results****Meets Requirements**

The review team validated through interviews and file reviews the steering committee's conclusion that the district meets the requirements for the provision of a least restrictive environment for children with disabilities.